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Dev (1933) Department.

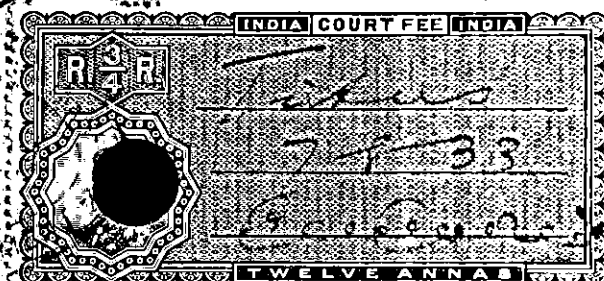
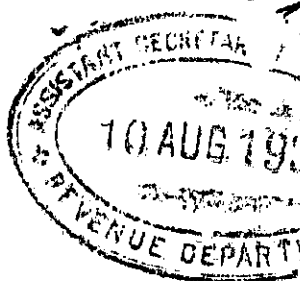
Ms SERIES.

|          |         |
|----------|---------|
| G.O. No. | 1215    |
| DATED    | 5-10-33 |

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[Despatch Abstract.]

Shooting license - to hunt and shoot in the  
- Reserved forests of the Madras presidency  
- Regulated



From

G.V.C.Babu Naidu, Proprietor, The Distillery,  
Bellary.

Rv 2945f  
10833

To

The Secretary to the Government of Madras,  
Revenue Department,  
Madras.

Appeal petition of G.V.C.Babu Naidu, Proprietor, the  
Distillery, Bellary, most respectfully showeth:

(1) The appellant was refused a single shooting license  
to hunt and shoot in the Reserved Forests of the Madras  
Presidency, by the Board of Revenue in their proceedings,  
routine No. 3813 dated 31-7-33.

Page 3 below

(2) The order of refusal was on a petition from the  
appellant dated 22-7-33. The appellant in the course of the  
petition urged that the circumstances under which he was  
refused the shooting license, in the Board of Revenue's  
reference C.No. 4168/33 dated 15-7-33, were not of such a  
nature as deserved refusal of the license.

Page 4 below

(3) The appellant urges the following grounds for setting  
aside the order of the honourable Board dated 15-7-33  
and also the order of refusal to review the order dated  
31-7-33:-

Page 4 below

Page 2 below

(a) The appellant has duly reported to the District  
Forest Officer, South Kurnool and the District Collector  
Kurnool on 5-10-32, the fact of his having shot a tiger on  
1-10-32 at Diguvametta in the Kurnool South Forest Division.  
It is the only game he has shot in the Reserved Forest and  
he has been prompt in reporting the same.

A

P.T.O.

~~4~~ 2  
(2)

page 105 or  
manil

B

A

(b) The appellant ~~h~~ urge that the failure to give notice to the District Forest Officer was entirely due to the fact that the old license contained no mention of it in the rules printed on it. The additional condition no. 5 had not been communicated to the appellant. Hence the omission has been due to the non-communication of the additional rules framed by the authorities:

(c) The appellant has been an active big game hunter and he has had the privilege of holding a district license to shoot in the Reserved Forests of Kurnool District for the past six years. He has never been rep~~r~~ted to have transgressed any rules framed by the Honourable Board of Revenue.

page 4 below

D

(d) The appellant prays that the Government may be pleased to set aside the order in view of the fact that the omission of the appellant has been due to circumstances beyond his knowledge. He further urges that in case the order of the Honourable Board C.No. 4168/33 dated 15-7-33 is not set aside, he would be deprived a good chance of big game shooting for which he has made arrangements at considerable expense. The omission being only technical and done unintentionally, the appellant again prays that the order be set aside and the license be renewed.

G. V. C. Balu  
Appellant. 9/8/33

Enclosures for reference.  
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Proceedings Routine No. 3813 dated 31-7-33.

Endorsement C.No. 4168/33 dated 15-7-33.

The appellant's old license no. 1406 dated 11-2-32.

5  
26.8.83

Dev. Depn

1/2  
9/8/83

CNO. 1862 J. From S.V.C.  
Babu Nayudu, Proprietor, the  
Distillery, Bellary, Dated 9.8.83

Encl. No. 1862 J/33-1 of 25.8.83

Referred to the Board  
of Revenue for remarks.

2. The Board is  
requested to ascertain and  
report ~~whether~~ why the condition  
requiring the licensee to give a  
fortnight's notice to the D.F.O.  
was not included in the license <sup>granted</sup> <sup>the appellant</sup> <sup>to him</sup>, and whether  
it was subsequently communicated  
to him and his consent to it  
obtained.

3. The Board is also  
requested to report whether the  
further <sup>deposit</sup> ~~fee~~ of Rs 10 prescribed by  
new condition 5 was collected from  
the licensee.

Cond (2) at MS of no.

1) 4 of 20.8.83 (X)

2) 1.5 of

Dev (as)

Mr. 29.8.83

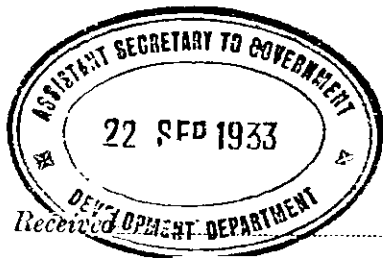
105 of total number.

To the Board of Rev. (R.R. 15) ✓  
with Return Ends to be read.

JAR

RR  
28.8.83

24885



DEVELOPMENT - DEPARTMENT.

CURRENT No.

Received ..... 19 Registered ..... 19

*Subject.*

Forests - Game rules - (Bellary) - Single shooting licence - G.V.C.  
Babu Naidu - Application - Rejected - Petition to Govern-  
ment - Remarks submitted -

- \*\*\*

|                    |
|--------------------|
| ENCLOSURES.        |
| No. ....           |
| Spare copies. .... |

Routine - No 4734

Station M a d r a s, Dated the 20th September 19 33.

From A.R. MacEwen, Esquire, M.C., I.C.S.,

Secretary - Land Revenue. and

~~Fixx~~ Board of Revenue, ~~Revenue~~ Settlement, ~~aka~~

~~Superior~~ ~~Revenue~~

A.H.A. Todd, Esquire, I.C.S., Commissioner of Land Revenue.

Resolution

-- Read the following paper:-

Reference:

Endorsement from Government, Development Department, No.

1862 I/33.1, dated the 25th August 1933.

RESOLUTION.

17 Sep  
1-2 Sep

The Board resubmits the petition from Mr. G.V.C. Babu Naidu of Bellary, with the following remarks:-

Mr. Naidu was granted a single shooting licence tenable for one year from 11th February 1932. On 31st January 1933 he applied for the renewal of the licence for another year. While his application was under the consideration of the Collector of Bellary to whom it was forwarded for remarks, the Collector of Kurnool reported on 16th -

February

9  
(2)-  
tiger

February 1933 that Mr. Naidu shot a tiger on 1st October 1932 in the Kurnool South Forest Division but failed to give previous notice of the shooting expedition to the District Forest Officer as required by condition No.5 prescribed in G.O.No.1714 Misc., Development dated the 2nd December 1931 and recommended the levy of a penalty of Rs.10/-. The Chief Conservator of Forests who was consulted in the matter observed that there was no provision for the levy of penalty, and suggested that the Board might refuse to grant a licence for twelve months from 10th February 1933 the date on which the previous licence expired. The Board agreed with him and issued orders accordingly. Steps are being taken separately to make a provision in the conditions of the licence to levy a penalty in such cases.

Board telegrams  
1st Oct 1932

(X)

p 3 Supr

2. Mr. Naidu again moved the Board for a reconsideration of the orders on grounds similar to those mentioned in the petition to Government. The Board declined to revise its orders.

p 4 Supr

3. With reference to paragraph 2 of the Government Memorandum the Board submits that the licence was issued by it and that it has no reason to think that the conditions attached to the licence were not up to date. The fact that Mr. Naidu himself reported to the District Forest Officer and the Collectors of Bellary and Kurnool on 5th October 1932 (i.e) after the event, that he shot a tiger shows that he was not unaware of the condition requiring a previous notice; for there is nothing in the general conditions calling on him to make such a report. The Board and the Chief Conservator of Forests were agreed that the refusal to renew the licence was the proper course to take in the circumstances of the case. The refusal, is, however, liable to be reconsidered after twelve months from 10th February 1933 the date on which his licence expired.

x p 7 Supr

A

4. As regards the deposit of Rs.10/- referred to in paragraph 3 of the Government Memorandum, the Board invites the

attention

16  
~~(3)~~ 6: 

*W. J. Pomeroy*  
for Secretary. 4939

The Secretary to Government, Development Department,  
with a petition and its enclosures.

c.n.n./24-9-1935.

Rev. Department

forests - same rules (Buland) -

Single shooting license -

Babu Naran Mr. C. C. - Appln

(Cm. 2945 F/33) - Rejected - Appeal - petn of

1-8-33

2-2-5

It is submitted that the subject matter of the petition or the 1-2 CF relates to forests. The additional condition referred to in the petition and in the Board's order of 15-7-33 was based on the orders of the Development Department issued in G.O. no. 1014 Dv of 28-7-32. For orders whether the petition may be transferred to the Development department

Compt. (I)  
Embarred at 1050  
Mandl

Des. 1862-I  
14-8-33

20  
11/8  
8u  
11/9/33

11/8.33  
Dw

Run no 2945 F-33-1

12-8-33

Dw sept

To A.S.

Please see the petition in the file



✓ p 44

from the Board's proceedings it will be seen  
 that Mr Babu Naidu's application  
 for a single shooting license was rejected  
 on the score (1) that he did not give a  
 fortnight's notice to the D.F.O. and that  
 he did not furnish him with a return  
 of game shot till then as required  
 by condition 5 of the license. To this  
~~the petitioner pleads ignorance of the rules,~~  
~~which he ought to have been aware~~  
~~especially when he says he is an~~  
~~active big game hunter.~~

p 15 (X) 901714  
2-12-2

p 105 of Manual  
Subpara (b) at p 2 of

Subpara C at p 2 of

For orders whether  
 the petition will be rejected or the remarks  
 of Board of Rev. marked on the above petition

17.8.33. As required (1), it is observed that  
 though the condition was ordered  
 to be inserted in December 1931, it is  
 not found in the license granted to  
 the petitioner in Feb 1932. The  
 petitioner alleges that the new  
 condition was not communicated to  
 him. This point needs verification.

Sp. No. 1714 (X)  
2-12-31

① p 5 C.F.

B at p. 2 of

2. Reason (2). New condition 5  
 inserted at p. 105 of the Forest  
 Manual as per orders in force  
 in the Div. dated 28.7.32, thus

(I)

as follows --

Every licensee in addition to paying the license fee, shall deposit a sum of Rs 10 which will be refunded to him on his making a return to the District Forest Officer concerning the game shot, with measurements at the end of the period to which the license relates.

A at p. 1 CF

The petitioner states that he reported to the D.F.O. and the Collector on 5.10.1932 the fact of his having shot a tiger on 1.10.1932 and that it was the only game he shot. It may be verified whether the report was received in either of the offices or not. Even if it had not been received the penalty was that the licensee forfeited the Rs 10/- No further punishment would appear to be necessary.

3. The petition may, in the first instance, be referred to the Board of Rev for remarks. A draft note is subd. for approval.

JaR  
24.8.33

RR  
25.8.33 D.

Done in the  
C.A.H.

Issued as Cont 1862 7/33 to the Bd (Rev D) 25-8-33 p. 7c1  
CRO 2229 7/33 from the Board (Rev D) 20-9-33 p. 8-10c1

TO A.S.

Please see notes at pp 2-3 supra the  
om. to the Board (Rev at p. 7c1 and the  
Board's reply thereto at pp 8-10c1.

2 In para 1 of the om. the Board p. 7c1  
was requested to state whether the Condition  
requiring the licensee to give a fortnight's  
notice to the D.F.O. of his intention to shoot  
in the District was Communicated to the party.  
The Board's reply is in the negative. The  
Board however states that from the fact para 3 p. 9c1  
that the appellant subsequently reported  
to the D.F.O. and the Collector the fact of  
his having shot a tiger it may be inferred  
that he ought to have been aware of the  
rule. It is submitted that the rule not  
having been Communicated to him he cannot  
be held to blame for not having obeyed it.  
His reporting the fact of his having  
shot a tiger might have been done merely  
for information. (for record)

3 In para 2 of the memo p. 7c1  
the Board was asked to state whether  
adherent deport of Rs 10/- mentioned.

1100<sup>x</sup> by 200<sup>x</sup>  
manual

in Condition 5 was collected from the party. The reply to this is also in the form 4 H9-100 negative.

4. On the whole, it appears that the Board's order refusing to renew the license was not reasonable and may, it is thought, be set aside. The petitioner has already lost a large ~~body~~ part of the year and even if it is considered that he should be penalised this would seem sufficient.

\* <sup>agreed</sup> <sub>2-10-33</sub> For orders whether the Board may be informed accordingly. The Board's argument that his case will be reconsidered next year is a poor consolation to the party who says he has already made arrangements for shooting at considerable expense:

TM  
29.9.33

RR  
30.9.33 J.

RR  
30.9.33

What the 'considerable expense' involved is, I can not imagine.

<sup>3 agreed</sup> <sub>2-10-33</sub> But the appellant does not seem to have been very seriously at fault.

2/10

in 1107.33  
H.M.C. 2/10/33

H.M.C. 2 <sup>2-10-33</sup>

\* Draft accordingly

to H.M.C.

6

T.A.S.

A draft oos is submitted for approval

TM  
4.10.33 20R  
4.10.33

RL Issue 1  
4.10.33 S #37/10

|                                 | Date. | Initials. |
|---------------------------------|-------|-----------|
| When received for Fair-copying. |       |           |
| When copied ..                  |       |           |
| When examined ..                |       |           |
| When signed ..                  |       |           |
| When despatched ..              |       |           |

Forests

Game Rules - Single Shooting  
Licence - Babu Nand Lal G.V.C. -  
~~My~~ Petition - orders passed -

READ AGAIN G.O. No. \_\_\_\_\_, dated \_\_\_\_\_ 19\_\_

19

*READ ALSO:—*

C. No. 1862 <sup>7</sup>/<sub>33</sub> From the Harry G. C. Baber Ward, No.       , dated 9-8 1933

Cont<sup>10</sup> to the Bd of Rev. no 18627/33-10 25. 8. 33

19

" " 22297/33. " from the BO of Rev (L.Rs) Pt 47 & " 20.9.1933.

ORDER.

No. 1215, dated 5 10 1983

ms

p 1059 John May

by LK  
5/16

The Board of Rev ~~(H.P.R.)~~  
is informed that, in view  
of the fact that Conditions 5 & 6  
~~of the~~ were <sup>neither</sup> ~~not~~ embodied in the  
license issued to MRRy. GVC  
Babu Nandu nor ~~was~~ communicated  
to him subsequently, he  
cannot be held to blame for  
not having observed them. The  
Govt observe that ~~the~~ two  
petitioners have already lost  
a large portion of the year  
and that ~~in any way~~ he need  
~~should~~ not be penalised ~~any further~~

The Board of Rev is ~~therefore~~  
requested to issue instructions  
for the issue of the shooting  
license to the petitioner at an  
early date.

2 The petitioner is  
referred to the Bd of Rev for  
orders on his petition.

M  
4-10-33

RL  
4-10-33

RR  
4-10

4/10/33

to the Bd of Rev (L.R.S.  
m.Ry. sent by messenger  
on 5/10/33

G.V.C. Babu Awar  
Proprietor ✓  
The Distillery.  
Bellary

with enclosure  
returned  
Sent by  
nfd. post  
on  
5/10/33

(Para 2 in Encl to  
(abstract of the  
road 1/2)